

## **Assembly Concurrent Resolution No. 30**

### **RESOLUTION CHAPTER 106**

Assembly Concurrent Resolution No. 30—Relative to pupil rights.

[Filed with Secretary of State September 9, 2013.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

ACR 30, V. Manuel Pérez. Pupil rights: Student and Youth Bill of Rights.

This measure would declare that the Legislature recognizes the importance of engaging with young people to influence decisions that affect their quality of life and well-being, and that the Student and Youth Bill of Rights serves as a framework to guide and inform the youth of the state in organizing and advocating policy issues on their own behalf.

WHEREAS, In the state of California, children, youth, and young adults under 25 years of age comprise roughly one-third of the state's population; and

WHEREAS, The youth of California are among the state's greatest assets and are an important indicator of the state's future prosperity. The youth of the state are tomorrow's workers, entrepreneurs, educators, public servants, and community leaders and need the education and training to participate and succeed in the California economy; and

WHEREAS, It is projected that by 2018, nearly two-thirds of the jobs in California and the nation will require some college or additional training after high school and it is imperative that our youth are prepared to compete for jobs in this economy. However, many youth in California lack the basic conditions that promote their well-being and educational success; and

WHEREAS, The face of California is changing and racial and ethnic minorities now comprise the majority of the student population as Latino, Asian, African American, Pacific Islander, and mixed-race students make up 73 percent of all California students; and

WHEREAS, While many populations face barriers and challenges, an abundant body of research has demonstrated that young people of color disproportionately experience lower and worsening outcomes with regard to educational attainment, socioeconomic status, health status, and interactions with the juvenile justice and child welfare systems; and

WHEREAS, Young people of color are more likely to grow up in neighborhoods where they confront challenges to their safety and well-being and also are more likely to attend schools that lack the facilities, funding, and support staff, including, but not limited to, counselors, coaches, and after school programs, that contribute to a successful learning environment; and

WHEREAS, Young people of color are more likely to start their adult lives without a high school diploma as a result of the barriers they encounter. African Americans over 25 years of age are nearly twice as likely to be without a high school diploma as their white counterparts, and Latinos are almost seven times as likely to lack a high school diploma compared to their white counterparts. Furthermore, young people of color who graduate from high school are less likely to be prepared for college, with data showing that only 14 percent of Latino high school graduates and 15 percent of African American high school graduates have completed the courses needed to access higher education; and

WHEREAS, In seeking to respond to these sobering conditions, it is not enough to appeal to individual responsibility, self-discipline, and personal commitment to one's self-actualization as the remedy. Instead, a societal commitment is needed to confront and rectify these barriers with an understanding of, and deriving hope from, the fact that they are human made and can be changed; and

WHEREAS, All young people have a stake and role to play in this effort and must be active participants in articulating a vision for surmounting these challenges. Therefore, beginning in 2011, hundreds of youth and youth advocates throughout California began a process of needs identification to develop a "Student and Youth Bill of Rights" to serve as a framework for doing so; and

WHEREAS, In keeping with the basic principles of our democracy, the Student and Youth Bill of Rights is premised on the fundamental belief that the right to a quality of life shall not be denied or abridged based on one's race, gender, ethnicity, sexual orientation, disability, religion, socio-economic status, place of residence, country of origin, or previous and resolved contact with the justice system; and

WHEREAS, The Student and Youth Bill of Rights also rests on the belief that in addition to educational opportunity, youth need supportive conditions in which to thrive and grow, including safe and secure housing, safe neighborhoods and communities, basic human services, healthy and nutritious food, physical activity and recreation, art and culture, affordable and accessible public transportation, and dental and health care, among other supports; and

WHEREAS, The Student and Youth Bill of Rights sets forth that all students are deserving of safe and secure public school facilities of equal quality, regardless of whether it is a magnet school, a continuation school, or a charter school or the public school is in a rural, urban, or suburban location; and

WHEREAS, Youth in California should be served by school districts that are adequately funded through a school finance system that is fair, transparent, equitable, and accountable. The system should recognize the additional educational barriers experienced by particular subgroups, including, but not limited to, English learners and children living in poverty, and include a transparent method for ensuring the allocation of supplemental funding tied to their amelioration; and

WHEREAS, Youth should have the opportunity to study curriculum that is relevant to their life experiences, includes content acknowledging the ongoing struggle of oppressed peoples, and examines the material, social, and cultural needs of their communities. This knowledge helps personalize education for all youth and provides them with examples of how to become agents of change in their communities; and

WHEREAS, Students and youth with children of their own should have the right of access to affordable day care for their children as long as they maintain a passing grade point average or employment; and

WHEREAS, Students and youth have a right to receive their school records, transcripts, test scores, medical records, immunization records, and key identification documents in order to access schools and public and community resources without prejudice and in a timely manner. Youth exiting foster care, group homes, mental health facilities and other facilities, including, but not limited to, detention or incarceration facilities, should be assured timely access to these documents as well as referrals to education and essential services at the time of their release; and

WHEREAS, Communities should have the ability to establish and be engaged in the development of programs for restorative and transformative justice and positive behavior interventions in their schools that make use of intervention workers and peace builders in schools and communities to address conflicts while preventing school suspension, expulsion, and arrests, providing safe passage to and from school, providing for rumor control and retaliation prevention, and building truces and cease-fires between neighborhoods; and

WHEREAS, Due to the importance of family stability to child and youth development, teen and young adult parents incarcerated due to nonviolent and nonsexual crimes should be encouraged and supported to remain in contact with their children. Similarly, youth whose parents are detained or incarcerated should be assisted to the extent possible in maintaining family bonds; and

WHEREAS, New schools and other youth-serving facilities should be built to encourage and celebrate youth identities and possibilities, with attention focused not only on function but also on what is communicated through the design and aesthetic aspects of the buildings and the environments they support; and

WHEREAS, Pupils and youth deserve the opportunity to develop, make mistakes, and grow with appropriate limits established and without unreasonable school, court, or law enforcement labeling and surveillance. In instances when the law is broken, due process should not be denied, and youth under 18 years of age should not be added to police databases without a fair and just trial, and pupils and youth should be secure from arbitrary police stops, searches and seizures, excessive ticketing and fines, and criminalization of truancy or lateness to school; and

WHEREAS, On completion of elementary and secondary education, California high school graduates should be prepared to either enter into a

career or have acquired the knowledge and completed the coursework necessary to start a successful college tenure; and

WHEREAS, All eligible students, including immigrant students, should have access to affordable and available higher education, ensuring that course offerings are available not only for the full-time, nonworking students, but that ample evening, weekend, and online courses are available for those who work while pursuing an education; and

WHEREAS, The state is just one partner among many that must be invested in the fulfillment of our societal promise to California's youth, and other critical partners are parents, peers, neighbors, philanthropy, the private sector, and nongovernmental organizations; now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate thereof concurring,* That the Legislature recognizes the importance of engaging with young people to influence decisions that affect their quality of life and well-being, and that the Student and Youth Bill of Rights serves as a framework to guide and inform the youth of the state in organizing and advocating policy issues on their own behalf; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.